

# Attachment E

## Selected Nigerian Law

## SELECTED PROVISIONS OF NIGERIAN LAW

### **Corrupt Practices and other Related Offenses Act (2000) Cap. (5) (Nigeria)**

...

8. (1) Any person who corruptly—
- (a) ask, receives or obtains any property or benefit of any kind for himself or for any other person; or
  - (b) agree or attempts to receive or obtain any property or
  - (c) benefit of any kind for himself or for any other person, on account of—
    - (i) anything already done or omitted to be done, or for any favour or disfavour already shown to any person by himself in the discharge of his official duties or in relation to any matter connected with the functions, affairs or business of a Government department, or corporate body or other organisation or institution in which he is serving as an official; or
    - (ii) anything to be afterwards done or omitted to be done or favour or disfavour to be afterwards shown to any person, by himself in the discharge of his official duties or in relation to any such matter as aforesaid, is guilty of an offence of Official corruption and is liable to imprisonment for seven (7) years.

...

9. (1) Any person who corruptly—
- (a) gives, confers or procures any property or benefit of any kind to, on or for a public officer or to, on or for any other person; or
  - (b) promises or offers to give, confers, procure or attempt to procure any property or benefit of any kind to, on or for a public officer or any other person, on account of any such act, omission, favour or disfavour to be done or shown by the public officer is guilty of an offence of official corruption and shall on conviction be liable to imprisonment for seven (7) years.

...

22. (1) Any person who, without lawful authority or reasonable excuse, offers an advantage to a public servant as an inducement to or reward for or otherwise on account of such public servant's giving assistance or using influence in, or having given assistance or used influence in—

- (a) the promotion, execution, or procuring of—
    - (i) any contract with a public body for the performance of any work, the providing of any service, the doing of anything or the supplying of any article, material or substance; or
    - (ii) any sub-contract to perform any work, provide any article, materials or substance required to be performed, provided, done or supplied under any contract with a public body; or
  - (b) the payment of the price, consideration or other moneys stipulated or otherwise provided for in any such contract of sub-contract as aforesaid, shall be guilty of an offence.
- (2) Any public servant who, without lawful authority or reasonable excuse, solicits or accepts any advantage as an inducement to or reward for or otherwise on account of his giving assistance or using influence in, or having given assistance or used influence in—
- (a) the promotion, execution or procuring, or
  - (b) the payment of the price, consideration, or
  - (c) other moneys stipulated or otherwise provided for in,
- any contract, or sub-contract as is referred to in sub-section (1) shall be guilty of an offence.
- (3) Any public officer who in the course of his official duties, inflates the price of any goods or service above the prevailing market price or professional standards shall be guilty of an offence under this Act and liable on conviction to imprisonment for a term of seven (7) years and a fine of one million naira.
- (4) Any public officer who, in the discharge of his duties awards or signs any contract without budget provision, approval and cash backing, shall be guilty of an offence under this Act and on conviction be liable to three (3) years imprisonment and a fine of one million naira.
- (5) Any public officer who transfers or spends any sum allocated for a particular project, or service, or another project or service, shall be guilty of an offence under this Act and on conviction be liable to one (1) year imprisonment or a fine of fifty thousand naira.
- (6) Any person or public officer who commits an offence under section 22 (1) and (2) shall be liable on conviction to a term of imprisonment for seven (7) years or a one million naira fine.

**Advance Fee Fraud and other Fraud Related Offences Act (2006) Cap. (A6) (Nigeria)**

**Part I**  
***Offenses***

1. (1) Notwithstanding anything contained in any other enactment or law, any person who by any false pretence, and with intent to defraud
  - (a) obtains, from any other person, in Nigeria or in any other country for himself or any other person;
  - (b) induces any other person, in Nigeria or any other country, to deliver to any person; or
  - (c) obtains any property, whether or not the property is obtained or its delivery is induced through the medium of a contract induced by the false pretense,

commits an offense under this Act.

(2) A person who by false pretence, and with the intent to defraud, induces any other person, in Nigeria or in any other country, to confer a benefit on him or on any other person by doing or permitting thing to be done on the understanding that the benefit has been or will be paid for commits an offence under this Act.

(3) A person who commits an offence under subsection (1) or (2) of this section is liable on conviction to imprisonment for a term of not more than 20 years and not less than seven years without the option of a fine.

...

8. A person who—
  - (a) conspires with, aids, abets, or counsels any other person to commit an offence; or
  - (b) attempts to commit or is an accessory to an act or offence; or
  - (c) incites, procures or induces any other person by any means whatsoever to commit an offence

under this Act, commits the offence and is liable on conviction to the same punishment as is prescribed for that offence under this Act.